

## Reilly, Stephen

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**From:** Zanghi, Mark <MZanghi@lcounty.com>  
**Sent:** Friday, September 18, 2015 11:36 AM  
**To:** Reilly, Stephen  
**Subject:** Open Records Law request: Brady/Giglio/Potential Impeachment Disclosure list

**From:** Zanghi, Mark  
**Sent:** Friday, September 18, 2015 11:34 AM  
**To:** 'Reilly, Stephen '  
**Subject:** Open Records Law request: Brady/Giglio/Potential Impeachment Disclosure list

Mr. Reilly,

This email is in response to your records request for a list maintained by the Office of the Licking County Prosecutor of law enforcement officers who may be subject to potential impeachment pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 450 U.S. 150 (1972).

1. Officer Adam Pfannenschmidt; City of Newark, Ohio Police Department; Date of Inclusion: February 29, 2012; Reason for inclusion: violations of Newark Police Department Code of Conduct; resigned from Newark Police Department on August 20, 2014.
2. Officer Jon Dailey; Village of Granville, Ohio Police Department; Date of Inclusion: December 17, 2014; Reason for inclusion: violations of Granville Police Department Standards of Conduct; currently employed by Granville Police Department.

Should you have any questions or concerns please contact this office.

Mark A. Zanghi  
Assistant Prosecuting Attorney-Civil Division  
Licking County Prosecutor's Office  
20 South 2<sup>nd</sup> Street-4<sup>th</sup> Floor  
Newark, Ohio 43055  
Phone: (740) 670-5255  
Phone: (740) 670-5252 (direct)  
Fax: (740) 670-5241

The information contained in this electronic mail transmission is intended by the Licking County Prosecutor's Office for the use of the named individual or entity to which it is directed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without reading, copying or forwarding it, and promptly notify the sender of the error by reply email or by calling the Licking County Prosecutor's Office at (740) 670-5255, so that our address record can be corrected.

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**From:** Reilly, Stephen [<mailto:sreilly@usatoday.com>]  
**Sent:** Thursday, September 17, 2015 11:48 AM

**To:** Oswalt, Kenneth

**Subject:** Open Records Law request: Brady/Giglio/Potential Impeachment Disclosure list

To whom it may concern:

This is a request for records pursuant to the Ohio Open Records Law, §149.43 et seq. I am requesting a copy of the following records:

- The “Brady list,” “Giglio list,” “potential impeachment disclosure list,” or any other record(s) maintained by the Licking County Prosecutor’s Office setting forth information on all peace officers in your office’s jurisdiction whose involvement in a criminal proceeding must be disclosed as potentially exculpatory evidence in accordance with *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 450 U.S. 150 (1972). Where possible, please include all information on these officers as reflected in your list, including: the officer’s full name, agency of employment, date of inclusion on the list, and description of the reason for inclusion on the list.

If possible, please provide the responsive records in an electronic format via email to [sreilly@usatoday.com](mailto:sreilly@usatoday.com).

If there are any fees for searching or copying these records, please inform me before filling this request. If you deny any or all of this request, please cite each exemption you feel justifies the denial and notify me of the appeal procedures available to me under the law.

As you are aware, pursuant to Ohio Rev. Code § 149.43(B)(1), copies of requested records must be made available “within a reasonable period of time.” Further, “if a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection ... the person allegedly aggrieved may commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply...that awards court costs and reasonable attorney’s fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages.” See Ohio Rev. Code § 149.43(C); *State ex rel. Collins v. Corbin*, 73 Ohio App. 3d 410, 597 N.E.2d 544 (1992).

Please do not hesitate to contact me by email or on my cell phone (610-547-0001) at any time if you would like to discuss the request or have any questions.

Sincerely,

Steve Reilly

**Steve Reilly**

Investigative Reporter and Data Specialist

**USA TODAY Network National News Desk**

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